

REMARKS

Entry of this amendment and these remarks, and the reconsideration of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 2-17, 21-26, 28, and 29 and amended claims 1, 19, 20, and 27 are in this application.

Claims 1-3 and 27 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of U.S. Patent No. 6,240,552.

Claim 1 has been as amended herein to recite “whereby each of said plurality of delivery storage medium and said archive storage medium unit includes a controller.” Accordingly, withdrawal of the double patenting rejection to independent claims 1 and 27 and dependent claims 2 and 3, which are dependent from claim 1, is respectfully requested.

Claims 1 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kochanski (5,512,934) in view of Gelman et al. (5,341,474).

Independent claim 1, as amended herein, recites in part as follows:

“a plurality of storage medium units for storing information data, wherein said plurality of storage medium units include an archive storage medium unit ... and a plurality of delivery storage medium units ... whereby each of said plurality of

delivery storage medium and said archive storage medium unit **includes a controller.** (Underlining and bold added for emphasis.)

(7) In explaining the above 103 rejection, the Examiner states that Kochanski “fails to disclose (1) the claimed wherein a plurality of storage medium units are comprised of an archive storage medium unit which contains information data and a plurality of delivery storage medium units that stores information data from archive storage medium unit as needed.” In order to overcome such deficiency, the Examiner apparently relies on col. 5, lines 1-13 of Gelman. It is respectfully submitted that such portion of Gelman as applied by the Examiner (hereinafter, merely “Gelman”) does not disclose “each of said plurality of delivery storage medium and said archive storage medium unit **includes a controller.**” Rather, Gelman appears to merely disclose a storage warehouse with an archival storage and an on-line storage for temporarily storing data for ready access. Gelman appears to utilize only a single controller (IWH-SP 11), for controlling the archival storage and the on-line storage. (See element 11 of Fig. 3.) Accordingly, Gelman does not appear to disclose that both the archival storage and the on-line storage **include a controller.** Therefore, claim 1 is believed to be distinguishable from the applied combination of Kochanski and Gelman.

For reasons similar to those described above with regard to claim 1, independent claim 19, as amended herein, is also believed to be distinguishable from the applied combination of Kochanski and Gelman.

Claims 1-16 and 21-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Voeten in view of Gelman (5,341,474).

In explaining the above rejection, the Examiner appears to admit that Voeten does not disclose “the claimed wherein a plurality of storage medium units are comprised of an archive storage medium unit which contains information data and a plurality of delivery storage

medium units that stores information data from archive storage medium unit as needed.” To overcome such deficiency, the Examiner appears to rely upon Gelman. As previously mentioned, Gelman does not appear to disclose “each of said plurality of delivery storage medium and said archive storage medium unit **includes a controller**.” Accordingly, claim 1 is believed to be distinguishable from the applied combination of Voeten and Gelman.

Claims 2-16 and 21-26 are dependent from claim 1, and, due to such dependency, are also believed to be distinguishable from the applied combination of Voeten and Gelman for at least the reasons previously described.

Claim 20 is rejected under 35 U.S.C. §103(a) as being unpatentable over Voeten in view of Gelman (5,341,474) and Florin et al. (5,621,456).

For reasons similar to those previously described with regard to claim 1, amended claim 20 is believed to be distinguishable from the applied combination of Voeten and Gelman. The Examiner apparently did not rely on Florin to overcome the above-described deficiency of Voeten and Gelman. Therefore, claim 20 is believed to be distinguishable from the applied combination of Voeten, Gelman and Florin for at least the reasons previously mentioned.

Claim 27-29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Voeten in view of Gelman (5,341,474) and Coverston et al. (5,504,883).

For reasons similar to those previously described with regard to claim 1, amended independent claim 27 is believed to be distinguishable from the applied combination of Voeten and Gelman. The Examiner apparently did not rely on Coverston to overcome the above-described deficiency of Voeten and Gelman. Therefore, claim 27 is believed to be distinguishable from the applied combination of Voeten, Gelman, and Coverston. Claims 28 and 29 are dependent on claim 27, and due to such dependency, are also believed to be

distinguishable from applied combination of Voeten, Gelman, and Coverston for at least the reasons previously described.

Applicants appreciate the Examiner's statement that claim 17 is allowed.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

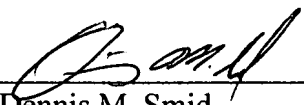
It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the Applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that claims 1-17 and 19-29 are patentable over the prior art, and early and favorable consideration thereof is solicited.

Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,
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Version with markings to show changes made

IN THE CLAIMS

Please amend claims 1, 19, 20, and 27 by rewriting the same as follows:

--1. (Seven Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:

a plurality of storage medium units for storing information data, wherein said plurality of storage medium units include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;

managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and

routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the delivery storage medium units and the distribution control data from the managing means, wherein

the managing means manages the distribution of the information data from one or more of said delivery storage medium units to an appropriate one or more of the end user device(s) in accordance with a predetermined number representing a number of said one or more end user devices such that the number of delivery storage medium units utilized is increased when the number of end user device(s) exceeds the predetermined number,

whereby [said archive storage medium unit and] each of said plurality of delivery storage medium units [are similarly constructed] and said archive storage medium unit includes a controller.

19. (Four Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:

a plurality of storage medium units for storing information data, wherein said plurality of storage medium units include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;

managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and

routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the delivery storage medium units and the distribution control data from the managing means,

wherein said managing means selects a special play mode for supplying an altered sequence of scenes to the at least one end user device by switching channels for supplying the data information to the at least one end user device,

whereby [said archive storage medium unit and] each of said plurality of delivery storage medium units [are similarly constructed] and said archive storage medium unit includes a controller.

20. (Four Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:

a plurality of storage medium units for storing information data, wherein said plurality of storage medium units include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;

managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and

routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the delivery storage medium units and the distribution control data from the managing means,

wherein said managing means selects a special play mode for supplying a mosaic of scenes to the at least one end user device by selecting scenes from different channels,

whereby [said archive storage medium unit and] each of said plurality of delivery storage medium units [are similarly constructed] and said archive storage medium unit includes a controller.

27. (Five Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:

a plurality of storage medium units for storing information data, wherein said plurality of storage medium units include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;

managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and

routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the one or more storage medium units and the distribution control data from the managing means, wherein

said distribution control data further includes backup control data for assigning one of said one or more delivery storage medium units to supply the selected information data when another of said one or more delivery storage medium units for supplying the selected information data is malfunctioning,

whereby [said archive storage medium unit and] each of said plurality of delivery storage medium units [are similarly constructed] and said archive storage medium unit includes a controller.

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